

FW: In favor of Residential Vacation Rental Ordinance (LRP2015-00017)

Jennifer Caffee

Mon 11/14/2016 9:29 AM

To: cr_board_clerk Clerk Recorder <cr_board_clerk@co.slo.ca.us>;

Jennifer Caffee

Legislative Assistant

5th District Supervisor Debbie Arnold

San Luis Obispo County

From: Richard Harvey [mailto:richard@infinitefunctions.com]

Sent: Monday, November 14, 2016 8:33 AM

To: Debbie Arnold <darnold@co.slo.ca.us>

Cc: Jennifer Caffee <jcaffee@co.slo.ca.us>

Subject: In favor of Residential Vacation Rental Ordinance (LRP2015-00017)

Dear Supervisor Arnold,

Please preserve the rural residential character and support the Residential Vacation Rental Ordinance (LRP2015-00017) for the Adelaida/Willow Creek area. Guest houses with their large occupancy and consequential partying are inimical to living in a rural residential area. All the key points in favor of the proposed ordinance are valid.

At my residence, there are 2 vacation rentals nearby that I know of: one is about a 1,000 feet away and the other is adjoining. The one that is 1,000 feet away has not been frequently rented. My neighbor's large guest house is rented most of the time. These guests holds large loud events once or twice a month.

I bought my property in the expectation that my neighbors would be mostly single family residents. At times, 3 of my adjacent neighboring properties have had out of character rentals. Currently, there is one property with a large guest house and one with 2 permanently occupied large fifth wheels. The other property has just been sold and could easily become a vacation rental, leaving me surrounded and with little control over insufferable temporary events.

There may be a significant opposition to the this ordinance, but the majority of actual residents are in favor. At the supervisor meeting, it may be a good idea to ask each speaker for the actual location where they live.

Richard Harvey
Paso Robles

FW: Vacation Rental Ordinance

Debbie Arnold

Mon 11/14/2016 9:30 AM

To: cr_board_clerk Clerk Recorder <cr_board_clerk@co.slo.ca.us>;

Jennifer Caffee

Legislative Assistant

5th District Supervisor Debbie Arnold

San Luis Obispo County

From: krlindbery@aol.com [mailto:krlindbery@aol.com]

Sent: Monday, November 07, 2016 12:57 PM

To: Debbie Arnold <darnold@co.slo.ca.us>

Cc: Bruce Gibson <bgibson@co.slo.ca.us>; Adam Hill <ahill@co.slo.ca.us>; Frank Mecham <fmeccham@co.slo.ca.us>; Lynn Compton <lcompton@co.slo.ca.us>

Subject: Vacation Rental Ordinance

Hello Debbie,

I spoke with you at a TAAG meeting you attended this summer when the community was up in arms over the Resnick's destroying 8,000 oak trees on Sleepy Farm Road in Paso Robles. We discussed water issues, and what the Resnick's intent may have been with their three large wells and the over sized pond they were constructing on the property.

During that conversation I also mentioned the vacation rentals we are dealing with out here in the Adelaide Area, and the need for an ordinance which would eliminate the unwritten policies County Staff has operated under for our area which they had determined allowed events at a vacation rental. You mentioned that at first, this seemed like a good idea, but that now it has gotten completely out of hand, and I couldn't agree more.

Since the ordinance is coming before the Board for approval (I hope) next week, I wanted to share a few of my concerns, and I also hope based on our previous conversation at TAAG, you would consider them before next Tuesday.

First, I have heard you mention your concern for preserving the small family farm, and protecting our agricultural lands by keeping them in agriculture. I have also heard concern for allowing agricultural land to continue to be economically viable. I agree that both these need to be considered, but I don't agree that to date, County policies have protected the small family farm in efforts to address economics with agricultural property. In fact, I would argue that these policies have started the loss of the small family farm and production of an agricultural product on agricultural land.

There are several contributing factors. As the North County has grown to include hundreds of wineries, the wineries have had to find other ways to compete against each other with so many here. One popular approach, as you know, is to hold events, largely weddings. I personally don't think a wedding has anything to do with agriculture, and actually commercializes the land more than should be allowed. But, nonetheless, we have weddings at wineries. The wineries have to go through the MUP and CUP process at the County in order to be allowed to offer events. If vacation rentals are only subject to a \$73 business license, but can still enjoy all the benefits of holding large weddings and events, this is not a fair and level playing field for the wineries which are held to different standards by the MUP and CUP process. Some enterprising individuals here, have gone as far as to obtain a vacation rental license without the intent of ever renting their home as a vacation rental, and have simply created event centers. Interestingly, I wonder how the County collects a TOT in this case, would it be on the value of the income earned for a wedding there, since no one actually stayed on the property?

On the surface, allowing vacation rentals may seem like it is offering the small family farm an opportunity to use that second home, which was likely rented long term as work force housing, and make more income. But, this competes with the goal of continuing to keep our land in agricultural use, as well as diminishing our work force housing while the subsequent shortage and competition with vacation rentals raises the cost of long term rentals. We have many small family farms here, who have taken the primary home and as well as the second homes on their land, which were once long term work force housing, fixed them up into quaint little "country stays" and are renting them out. The property no longer has a place for people who might have lived on it and helped with it's agricultural production or management, and the vacation rental now requires more staff to maintain this commercial operation, which has nothing to do with agriculture. So, the person who might have lived and worked on the property to sustain the agricultural operations there, must find another affordable place to live, and will likely have a long commute, as will the house cleaners, the gardeners, the property managers, the pool services, etc... who will be employed to take care of the vacation rental. And with events, you also have all the event staff, rental companies, DJ's or bands, caterers, guests, etc... This exponentially increases the traffic on our small farm to market roads.

Further, now when these properties go up for sale, they are no longer affordable for families who want to operate a small family farm. The properties are marketed at prices which reflect their commercial potential, and many being sold here now are purchased by large out of the area corporations which see this as a business investment only. County policies have allowed commercial enterprises on ag land which have caused the value of the land to exceed it's ability to be purchased and afforded with funds earned in agriculture. One wine maker said it all when considering a land purchase, "I want to grow grapes and make wine, but to afford the property, I first need to make it a destination. I plan to build ten ocean view yurts and an event center. Then, someday, I will plant grapes and make wine."

These commercial properties have winery staff, vacation rentals, and event centers, and no one lives there. They are no longer the small family farm which was to be protected, and they are no longer primarily in agriculture, which was to be protected, and they have displaced valuable affordable work force housing, all the while creating huge additional traffic here. We no longer use our farm to market roads to bring the produce to the market.

County policies have brought the market to the farms, and the commercialization of agricultural land is causing the agricultural base to be lost, and the small family can no longer sustain themselves in agriculture. If the County had not allowed all these commercial enterprises, including restaurants, small hotels, amphitheaters, event centers, distilleries, etc... the land values would not have climbed too high to be afforded with agricultural uses.

When a vacation rental license can be obtained for \$73, and a small investment made to make the old rental home on the property "quaint", an area with a view prepared for weddings, and the property owner can rent the unit for \$200 - 300 or more a night, and/or host weddings there for up to \$15,000 each, as Halter Ranch is doing, why would you want to grow barley, walnuts, almonds, grapes, or raise cattle? Hammersky Winery is a perfect

Agenda No. 7

Meeting Date: November 15, 2016

Presented By: Kim Lindbery

Rcv'd prior to the meeting & posted on the web: November 14, 2016

Page 2 of 3

. 11/14/2016

example. They even stated on their website the tasting room may be closed due to an event. In other words, if there was a wedding there, which there was almost every single weekend, the tasting room would be closed. The production and sale of wine was clearly second to the industry of events on their property. And, once again, preserving agriculture on ag land, is lost.

The County's desire to remain as ordinance and regulation free as possible, believing people here can still self regulate for the best, and to protect "property rights", has 1) attracted people like the Resnick's who actually planned their investments in the North County based on the County's lack of ordinances and regulation to prevent them from attempting to control our water, or protect our oaks and 2) has become a mantra for people who want "property rights" to be used as, "Leave me alone, I want the right to do whatever I want on my land". Neither of which, unfortunately, will produce a well planned, balanced and sustainable community in the long run under the pressure our County is currently faced with to grow and expand.

Approving a vacation rental ordinance, which doesn't allow events, is the first step in correcting what has become the erosion of true ag land and the small family farm, both attractions which made our area special and drew people here in the first place. Having a vacation rental ordinance which prevents saturation of vacation rentals on every property here, also preserves our neighborhoods so we still have small family farm neighbors who help each other and enjoy each other, not just another transient occupancy business property, where employees and tourists come and go all day, and no one lives there full time. The Planning Commission allowed a saturation limit of 1,500 feet between vacation rental units, which should have been 1,500 feet between properties with vacation rentals. The intent was to preserve some sort of neighborhood and workforce housing here. The argument was with the size of the properties, it shouldn't be a problem to have units 1,500 feet from each other, but in fact, with the size of the properties here, that would allow almost every single property to have or become a vacation rental, which causes loss of workforce housing, and exponentially increases traffic.. I can provide an example of two adjacent properties, which between them once had four long term rental homes. Now they have a bed and breakfast, a winery and three vacation rentals, and no one lives on one property anymore. So, I would ask the Board of Supervisors to reconsider approving an ordinance with a 1,500 foot distance from the properties, not the units.

Sorry to be so long, but I feel strongly these issues need to be considered going forward: protect our small family farms, protect our agricultural land, and protect what small amount of work force housing we have left in our area to service all these huge corporate commercial enterprises filling in our ag land. Unfortunately, without ordinances or regulations, and good forward planning, there is no way to protect these things and govern with fairness for all who want to live and invest here.

I have cc'd the other supervisors in the hopes they will also consider my comments. Thank you, and I hope you will vote in favor of this ordinance.

Kim Lindbery

FW: Please approve Adelaida Vacation Ordinance

Board of Supervisors

Mon 11/14/2016 9:44 AM

To: BOS_Legislative Assistants <BOS_Legislative-Assistants@co.slo.ca.us>; cr_board_clerk Clerk Recorder
<cr_board_clerk@co.slo.ca.us>;

For your review.
This is a District 1 constituent.
Thank you.

Blake Fixler
Administrative Assistant III
Board of Supervisors
San Luis Obispo County
www.slocounty.ca.gov

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www.linkedin.com/company/county-of-san-luis-obispo
www.youtube.com/user/slocountygov

From: Holly Sletteland [mailto:hslettel@calpoly.edu]
Sent: Monday, November 14, 2016 8:58 AM
To: Board of Supervisors <Boardofsups@co.slo.ca.us>
Subject: Please approve Adelaida Vacation Ordinance

Holly Sletteland

[Templeton, CA 93465](#)

November 14, 2016

San Luis Obispo County Supervisors
County [Government Center](#)
[San Luis Obispo, CA 93408](#)

Subject: Vacation Rental Ordinance for the Adelaida area

Dear Supervisors,

I am writing to urge you to support the Vacation Rental Ordinance for the Adelaida Area. Needless to say, I was pleased that the Planning Commission approved the ordinance with minor changes and I sincerely hope that you concur with their findings. This ordinance will have a direct impact on my family and neighbors as we live near the southern boundary of the Adelaida area.

As the purpose of the ordinance correctly states, "The Adelaida/Willow Creek Area is an agricultural and rural residential area with limited infrastructure, narrow roadways, challenged fire service, and topography that magnifies noise and light issues. There is also a concentration of wineries, bed and breakfast inns, lodging, and events in the area. Tailored residential vacation rental standards are necessary to address these unique neighborhood compatibility and community character issues." The boom in vacation rentals in the area has introduced a host of problems for neighboring residences including noise, lights, traffic, parking, accidents, pets, litter, fires and more. The ordinance is an important first step in easing some of these concerns.

If there are any changes to be made, I don't think the ordinance goes far enough in terms of restricting events. I served on the County's Agricultural Tourism and Direct Marketing Work Group a number of years ago in hopes of reining in events in this area, but the group was unable to come to an agreement. The County has failed to implement any meaningful restrictions since that time. There are far too many event venues in the Adelaide area already without encouraging more. Virtually every vineyard and winery host multiple events every year and there are dozens of them located in or adjacent to this area. It is bad enough that vacation rentals can host temporary events, let alone host larger events such as weddings, fundraisers, etc. after obtaining a Minor Use Permit. This provision simply aggravates an already untenable situation.

Again, I urge you to approve the ordinance with revisions barring the allowance for vacation rentals to host events.

Sincerely,



Holly Sletteland

FW: Adelaide ordinance

Frank Mecham

Mon 11/14/2016 11:43 AM

To: cr_board_clerk Clerk Recorder <cr_board_clerk@co.slo.ca.us>;

1 attachments (2 MB)

mattson.pdf;

Vicki M. (Shelby) Fogleman
Legislative Assistant for
First District Supervisor Frank R. Mecham

[San Luis Obispo CA 93408](#)

email: vshelby@co.slo.ca.us

"Thinking a smile all the time will keep your face youthful" - Frank G. Burgess

"Wrinkles should merely indicate where smiles have been" - Mark Twain

From: Crystal Sierra [mailto:crystalsierra@gmail.com]

Sent: Monday, November 14, 2016 10:54 AM

To: Frank Mecham <fmecham@co.slo.ca.us>; darnold@co.slo.us; Bruce Gibson <bgibson@co.slo.ca.us>; lcompton@ca.slo.us; ahill@co.slo.us

Subject: Adelaide ordinance

Dear Board of Supervisors,

Here is a copy of a letter that was sent out by my father Rick Mattson's real estate attorney via mail last week. We wanted to make sure you had it prior to the meeting tomorrow.

My Best,
Crystal Bradshaw

KATHRYN DUNAWAY

ATTORNEY AT LAW

THREE RIVERS, CALIFORNIA 93271

November 10, 2016

Board of Supervisors
County of San Luis Obispo
County Government Center
San Luis Obispo, Ca. 93408

Re: Adelaida/Willow Creek Vacation Rental Ordinance
November 15, 2016 meeting

I represent Rick Mattson, the owner of Oakdale Ranch which is located within the Adelaida/Willow Creek area.

First, I would like to address the misrepresentations by members of the public about Oakdale Ranch which were made at the October 13, 2016, Planning Commission hearing. The group pulled up an area map that cited "Oakdale Mattson" as a large gold star that holds events at their vacation rental. It was then stated "they have been having them the last 2 years, and he might tell you that he needed them to stay on his land but he has advertised 300 weddings for up to 300 people."

This has never been advertised and Oakdale Ranch would not approve of such a large event. While Oakdale Ranch does advertise it is available for special events with a description of the property, they have hosted only one paid wedding, on October 11, 2014.

It should also be noted that the owner, Rick Mattson, lives at the property and his home is adjacent to the vacation rental and outdoor area. In fact, if you read all of the reviews from the vacation rental guests, the most common thing they mention is the peace and quiet they have enjoyed.

It was also stated there were "recently two events held on Oakdale, one at a winery and one at a vacation rental, cars lined both sides of the 22 foot road some parked on the pavement some parked on the very dry grass". This was said while showing a slide of parking in front of Shale Oak and Red Soles.

Page Two
November 10, 2016

The only "event" Oakdale Ranch held this year was a private birthday party for Rick Mattson in May and none of the guests parked on the street, they parked on the property, and it had nothing to do with a vacation rental.

I have known Rick Mattson for almost thirty years, and, in fact, lived next door to him for nearly ten years, so I can say with confidence he is a good neighbor and very respectful of his land and that of his neighbors.

Proposed Ordinance 22.30.510 -

The restriction on the number of uses, one individual tenancy per seven calendar days, per month is unclear. When do you start counting the seven calendar days, at the beginning of the stay or the end. Does this mean you could have four individual bookings, each being seven days, or if there is a seven day stay do you have to wait 7 more days before you can take another booking? This could severely limit the monthly income for all vacation rentals.

The additional requirements proposed to be applied to the Adelaida/Willow Creek Area as described in the Purpose b(i) paragraph are based upon the area being agricultural and rural residential with limited infrastructure, narrow roadways, challenged fire service and topography that magnifies noise and light issues. There are many areas throughout the County that also face these challenges, mainly West of Highway 101 from Santa Margarita to North of Paso Robles. To single out this area seems discriminatory and was based upon incorrect information given to the Planning Commission by a few people.

Temporary events are not allowed on any site containing a residential vacation rental unless they are authorized under Section 22.30.610. This is overbroad, as the owners of the property may have weddings, birthday parties or other celebrations totally unrelated to a vacation rental guest. A strict reading of this would require a property owner who happens to be licensed as a vacation rental to obtain a permit to have a family member wedding or other party. Also, attempting to limit the number of people a property owner can invite to his home violates his inherent property rights and freedom of association.

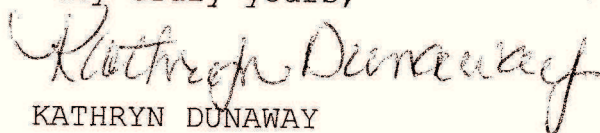
Page Three
November 10, 2016

Certainly some of these restrictions are necessary, particularly in the Coastal cities which have residential neighborhoods and the homes are close together. But in the Adelaida/Willow Creek area, most of the homes are on acreage and are far apart.

Restricting the number of vacation rentals to one per parcel in this area is too restrictive as most of the properties in this area have large acreage. Perhaps a better way would be to restrict the number of vacation rentals based on the acreage, i.e. 1 up to 20 acres, 2 on 20-60 acres, etc. In addition, to require an owner to occupy one of the residences on a vacation rental property with more than one residence impinges on a person's right to live where they choose. Many people have second homes in the area which they visit from time to time and live elsewhere for work or family related reasons. The ordinance would restrict their right to use one of the residences as a vacation rental because they do not maintain their "primary residence" in the other dwelling.

I realize the Department of Planning and Building did an extensive investigation and report. However, I would encourage the Board not to approve this Ordinance as written as it is not well thought out, is discriminatory to a certain area of the County and appears to violate the property rights of owners in the area. More thought needs to be given to the rights of property owners and the use of their land. Perhaps, even the existing licensed vacation rentals could be "grandfathered" in and the Ordinance would apply only to newly licensed vacation rentals. With or without government regulations, it is hard to believe the property owners in this area would allow use of their land which would harm it in some way, as, in many instances, the land is their source of income.

Very truly yours,


KATHRYN DUNAWAY

cc: Rick Mattson

correspondence re: vacation rental ordinance agenda item #7

Blake Fixler

Mon 11/14/2016 11:57 AM

To: cr_board_clerk Clerk Recorder <cr_board_clerk@co.slo.ca.us>;

1 attachments (185 KB)

Correspondence Re Vacation Rental Ordinance 11-14-2016.pdf;

Correspondence has been circulated to all Supervisors.
Thank you.

Blake Fixler
Administrative Assistant III
Board of Supervisors
San Luis Obispo County
www.slocounty.ca.gov

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www.youtube.com/user/slocountygov

KATHRYN DUNAWAY
ATTORNEY AT LAW
THREE RIVERS, CALIFORNIA 93271

RECEIVED

NOV 14 2016

Board of Supervisors
San Luis Obispo County

November 10, 2016

EACH SUPERVISOR
RECEIVED COPY

Forwarded
to the
Clerk Recorder

Board of Supervisors
County of San Luis Obispo
County Government Center
San Luis Obispo, Ca. 93408

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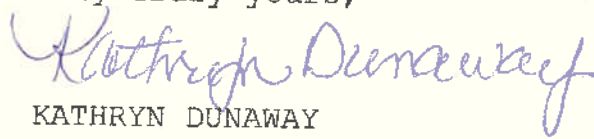
Page Three
November 10, 2016

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Very truly yours,


KATHRYN DUNAWAY

cc: Rick Mattson

Item 7 - Adelaida Vacation rental Ordinance

Susan Harvey <susan@ifsusan.com>

Mon 11/14/2016 12:25 PM

To: Board of Supervisors <Boardofsups@co.slo.ca.us>;

Cc: cr_board_clerk Clerk Recorder <cr_board_clerk@co.slo.ca.us>;

1 attachments (50 KB)

NCW BoS Item 7 Adelaida Vac Rental ord 11-14-16.pdf;

Dear Chair Compton and Supervisors:

Please find attached and copied below our North County Watch comments on the Adelaida Willow Creek Vacation Rental Ordinance.

Regards,
Susan Harvey, President
North County Watch



North County Watch

Looking Out Today For Tomorrow

Board of Supervisors
County of San Luis Obispo
San Luis Obispo, CA 93406
Via Email boardofsup@co.slo.ca.us or board_clerk@co.slo.ca.us

November 14, 2016

Re: Item #7 – Adelaida Vacation Rental Ordinance

Dear Chairwoman Compton and Supervisors,

We request that that you prohibit the use of vacation rental property as event sites at least until the County has adopted the pending Events Ordinance.

The Vacation Rental ordinance could include a prohibition until such time as an Events Ordinance is adopted. At that time, the Vacation Rental Ordinance could be reviewed to address the issues of events at Vacation Rental property.

The Vacation Rental Ordinance you adopt for the Adelaida area will likely set a precedent for any future countywide vacation rental ordinance with unintended consequences.

The inclusion of events in the Vacation Rental Ordinance effectively eliminates the possibility for a CEQA exemption for the ordinance before you today.

We support the comments submitted by the Santa Lucia Chapter of the Sierra Club.

Thank you for your consideration of our comments.

Sincerely,

Susan Harvey, President

Page 1 of 1

North County Watch Templeton, CA 93465
501(c)(3) nonprofit corporation

Susan A. Harvey

"To varying degrees, we human beings live inside other human beings already, even in a totally nontechnological world. The interpenetration of souls is an inevitable consequence of the power of the representationally universal machines that our brains are. That is the true meaning of the word "empathy"."

Douglas Hofstadter "I am a Strange Loop"



Board of Supervisors
County of San Luis Obispo
San Luis Obispo, CA 93406
Via Email boardofsup@co.slo.ca.us cr_board_clerk@co.slo.ca.us

November 14, 2016

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Sincerely,

President